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8   IN THE UNITED STATES DISTRICT COURT FOR THE

9   EASTERN DISTRICT OF CALIFORNIA

10

11 UNITED STATES OF AMERICA,   ) CR. NO. S-04-177 MCE
)
12   Plaintiff,   )
) STIPULATION; ORDER
13 MARIO NOEL PEREZ,   )
)
14   Defendant.   )
   _____)

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16   Defendant Mario Noel Perez, through Colin L. Cooper,

17 Attorney At Law, and the United States of America, through

18 Assistant U.S. Attorney Kenneth J. Melikian, agree to vacate the

19 status conference scheduled for September 20, 2005. The parties

20 further stipulate that a status conference be placed on the

21 court's October 25, 2005, calendar.

22   The reason for the requested continuance is that the parties

23 have been and continue to be involved in negotiations to settle

24 this case. A significant amount of work still needs to be done

25 in furtherance of this goal. The requested continuance should

26 provide he parties with the time needed to reach a resolution.

27   Accordingly, the parties request that the status conference

28 in this case be continued to October 25, 2005. The parties

                                 1

1 | further agree that time should be excluded through October 25,

2 | 2005, from computation under the Speedy Trial Act pursuant to

3 | local code T4 (18 U.S.C. § 3161(h)(8)(B)(iv)) to allow the

4 | defendant a reasonable amount of time to prepare his case.

5 | DATED: September 19, 2005   Respectfully submitted,

6 | McGREGOR W. SCOTT
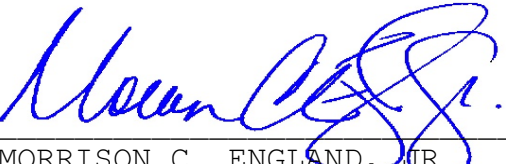   United States Attorney

7 | /s/ Kenneth J. Melikian

8 | By
                                          KENNETH J. MELIKIAN
9 | Assistant U.S. Attorney

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12 | DATED: September 19, 2005   /s/ Kenneth J. Melikian_____
                                       COLIN L. COOPER
13 | Attorney for Defendant Perez
                                       (Signed by Kenneth J. Melikian
14 | per telephonic authorization by
                                       Colin L. Cooper)

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18 | IT IS SO ORDERED.

19 |

20 | DATED: September 21, 2005

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23 | _____
                                       MORRISON C. ENGLAND, JR
24 | UNITED STATES DISTRICT JUDGE

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